



"PATENTS"

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
LESTER F. LUDWIG )  
) Group Art Unit: 2872  
SERIAL NO.: 10/656,342 )  
)  
FILED: September 4, 2003 )  
) Examiner: John Juba, Jr.  
FOR: NON-POSITIVE-DEFINITE OPTICAL )  
FILTERING FROM POSITIVE-DEFINITE )  
TRANSFER FUNCTIONS )

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)**

Applicant hereby petitions for a two-month Extension of Time to respond to the Office Action dated 6 May 2004, thereby extending the time to respond to 6 October 2004. A responsive Amendment accompanies this Petition.

A credit card payment form authorizing the amount of \$215 is enclosed herewith to cover the applicable fee for a two-month extension of time as set forth in 37 CFR 1.17(a).

Respectfully submitted,

Lester F. Ludwig

By: Jeffrey J. Lotspeich  
Attorney for Applicants  
Registration No. 45,737

**THE MAXHAM FIRM**  
A PROFESSIONAL LAW CORPORATION  
SYMPHONY TOWERS  
750 'B' STREET, SUITE 3100  
SAN DIEGO, CALIFORNIA 92101  
TELEPHONE: (619) 233-9004  
FACSIMILE: (619) 544-1246

10/08/2004 FFANR1A2 00000032 10656342

01 FC:2252 215.00 OP

**FEE TRANSMITTAL**  
**for FY 2004**

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT** (\$) **215**

**Complete If Known**

Application Number	10/656,342
Filing Date	4 September 2003
First Named Inventor	Lester F. Ludwig
Examiner Name	John Juba, Jr.
Group / Art Unit	2872
Attorney Docket No.	2738-013

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																																																																																											
<input type="checkbox"/> Check <input checked="" type="checkbox"/> Credit card <input type="checkbox"/> Money <input type="checkbox"/> Other <input type="checkbox"/> None <input type="checkbox"/> Deposit Account: Deposit Account Number: 020460 Deposit Account Name: THE MAXHAM FIRM		<b>3. ADDITIONAL FEES</b>																																																																																																																																																																																											
<b>The Commissioner is authorized to: (check all that apply)</b> <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		<table><thead><tr><th>Fee Code</th><th>Large Entity Fee (\$)</th><th>Fee Code</th><th>Small Entity Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr><tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr><tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr><tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr><tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td><td>215</td></tr><tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for reply within third month</td><td></td></tr><tr><td>1254</td><td>1,480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>1255</td><td>2,010</td><td>2255</td><td>1,005</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td><td></td></tr><tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td><td></td></tr><tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>1453</td><td>1,330</td><td>2453</td><td>665</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>1501</td><td>1,330</td><td>2501</td><td>665</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td><td></td></tr><tr><td>1503</td><td>640</td><td>2503</td><td>320</td><td>Plant issue fee</td><td></td></tr><tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17 (q)</td><td></td></tr><tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr><tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr><tr><td>1810</td><td>770</td><td>2810</td><td>385</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr><tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr><tr><td colspan="6">Other fee (specify) _____</td></tr><tr><td colspan="5"><b>SubTOTAL (3)</b></td><td><b>(\$) 215</b></td></tr></tbody></table>		Fee Code	Large Entity Fee (\$)	Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	1051	130	2051	65	Surcharge - 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SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	Jeffrey J. Lotspeich	Registration No. Attorney/Agent)	45,737	Telephone	619-233-9004
Signature				Date	October 5, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.